

02/27/02
J1040 U.S. PTO

02-28-02
CHOATE, HALL & STEWART
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
EXCHANGE PLACE
53 STATE STREET
BOSTON, MASSACHUSETTS 02109-2891
TELEPHONE (617) 248-5000
FACSIMILE (617) 248-4000

J1011 U.S. PTO
10/083913
02/27/02

Box Patent Application
Assistant Commissioner for Patents
Washington, DC 20231

Express Mail No.: EU260616753US
Attorney Docket No.: 2002082-0001
Date Filed: February 27, 2002

UTILITY PATENT APPLICATION TRANSMITTAL

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle) Family Name or Surname Residence (City and State or Foreign Country)

Title of the Invention: **Omega-3 Fatty Acids in the Treatment of Depression**

A) APPLICATION ELEMENTS:

- 1) ☐ **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2) ☒ **Applicant Claims Small Entity Status** (see 37 C.F.R. § 1.27)
 - a) ☐ Statement Verifying Small Entity Status (optional)
- 3) ☒ **Specification**

TOTAL PAGES: 19

 - ☒ Descriptive Title of the Invention
 - ☒ Cross References to Related Applications (if applicable)
 - ☐ Statement Regarding Federally Sponsored R & D (if applicable)
 - ☐ Reference to sequence listing, a table, or a computer program listing appendix
 - ☒ Background of the Invention
 - ☒ Summary of the Invention
 - ☐ Description of the Drawing (if filed)
 - ☒ Detailed Description of the Invention
 - ☒ Claim(s)
 - ☒ Abstract of the Invention

4) ☐ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: _____

a) ☐ Formal Drawings (if checked)

5) ☐ **Oath or Declaration**

TOTAL PAGES: _____

a) ☐ Newly Executed (original or copy)

b) ☐ Copy from a prior application (37 C.F.R. § 1.63(d))-for
continuation/divisional application

i) ☐ Deletion of inventor(s): Signed Statement deleting inventor(s) named
in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c) ☐ Unexecuted

6) ☐ **Application Data Sheet**. See 37 C.F.R. § 1.76.

7) ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program
(Appendix)**

8) ☐ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are
necessary)

a) ☐ Computer Readable Form (CRF)

b) ☐ Specification Sequence Listing on:

i) ☐ CD-ROM or CD-R (2 copies); or

ii) ☐ Paper

c) ☐ Statements verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

9) ☐ **Assignment Papers** (cover sheet & document(s))

10) ☐ **37 C.F.R. § 3.73(b) Statement** (when there is an assignee)

11) ☐ **Power of Attorney**

12) ☐ **English Translation Document** (if applicable)

13) ☐ **Information Disclosure Statement (IDS)/PTO-1449**

14) ☐ **Copies of IDS Citations**

Express Mail No.: EU260616753US

Attorney Docket: 2002082-0001

Date Filed: February 27, 2002

- 15) ☐ Preliminary Amendment
- 16) ☒ Return Receipt Postcard (MPEP 503) (specifically itemized)
- 17) ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- 18) ☐ Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(i)
- 19) ☐ OTHER: (if applicable, specified below)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

☐ continuation ☐ divisional ☒ continuation-in-part (CIP)

of prior application no.: _____ using Express Mail ET796587916US

filed: _____ February 5, 2002

examiner: _____

group/art unit: _____

for continuation or divisional applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied as detailed above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

D.) PRIORITY CLAIM(S):

This application claims the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

| <u>Application Serial No.</u> | <u>Filing date</u> | <u>Status (patented, pending, abandoned)</u> |
|-------------------------------|--------------------|--|
| | February 5, 2002 | Pending |
| 09/269,361 | March 22, 1999 | Issued |
| PCT/US97/06712 | April 23, 1997 | Inactive |

This application claims the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| <u>Application Serial No.</u> | <u>Filing date</u> | <u>Status (pending, expired, abandoned)</u> |
|-------------------------------|--------------------|---|
|-------------------------------|--------------------|---|

Express Mail No.: EU260616753US
Attorney Docket: 2002082-0001
Date Filed: February 27, 2002

E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

☒ Applicant claims small entity status 37 C.F.R. § 1.27.

☒ A check for ~~\$662~~^{\$633} is enclosed to cover the filing fees.

☒ The commissioner is hereby authorized to charge the remaining filing fees and any additional fees or to credit any overpayment to deposit account number 03-1721.

| | |
|---------------------------------|----------|
| Basic Filing Fee (Small Entity) | \$370.00 |
|---------------------------------|----------|

Additional Fees:

| | |
|--|----------|
| Total Number of Claims in excess of 20: (33- 20) x \$9 | \$117.00 |
|--|----------|

| | |
|---|---------|
| Number of Independent Claims in excess of 3:(4- 3) x \$42 | \$42.00 |
|---|---------|

| | |
|----------------------------------|-----------------|
| Multiple Dependent Claims \$140: | <u>\$140.00</u> |
|----------------------------------|-----------------|

| | |
|-------------------|----------|
| Total Filing Fee: | \$669.00 |
|-------------------|----------|

20020824 16753US

F) CORRESPONDENCE ADDRESS:



☒ Customer Bar Code Label:

24280

PATENT TRADEMARK OFFICE

☒ Correspondence Address:

Valarie B. Rosen
Choate, Hall & Stewart
53 State Street
Exchange Place
Boston, MA 02109
phone: (617) 248-5000
fax: (617) 248-4000

Respectfully Submitted,

Valarie B. Rosen

Registration No. 45,698

CHOATE, HALL & STEWART
53 State Street
Exchange Place
Boston, MA 02109
Phone: (617) 248-5000
Fax: (617) 248-4000